THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.433 of 2006

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Dated: 06.01.2006

Between:

Pebbili @ Burra Nagalakshmi, W/o. Rama Rao,
R/o. Nellipudi(V), Gangavaram (M), East Godavari District.

..... PETITIONER

AND

The Addl. Agent to the Govt. E.G. District,

at Rampachodavaram and others.

.....RESPONDENTS

ORDER:

The fifth respondent initiated proceedings against the petitioner under the Andhra Pradesh Scheduled Area Land Transfer Regulation
1 of 1959 read with Regulation 1 of 1970 before the second respondent. The same was taken on file as L.T.R.P.No. 100 of 2004. The second respondent dismissed the L.T.R.P., through his order dated 15.09.2004. Aggrieved thereby, the fifth respondent filed C.M.A.No. 76 of 2005 before the first respondent. The appeal was rejected, but the first respondent directed ejection of the petitioner from the land in question. The petitioner filed a revision before the fourth respondent together with an application for stay. Her grievance is that, no orders have been passed in the application for stay

and in the meanwhile, the fifth respondent is taking steps to evict her.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The second respondent rejected the plea of the fifth respondent as regards the rights of the petitioner over the land in Sy.No. 383/4 of Nellipudi Village, Gangavaram Mandal, East Godavari District. Aggrieved by the same, the fifth respondent preferred an appeal before the first respondent. The order, dated 29.10.2005, passed by the first respondent, presents an interesting reading. He categorically dismissed the appeal preferred by the fifth respondent. Naturally, this must result in affirmation of the order passed by the second respondent in L.T.R.P.No. 100 of 2004. However, in the next paragraph, he proceeded to direct eviction of the petitioner from the land in question. This is the result of either non-application of mind or inadvertent mistake. Be that as it may, the petitioner availed the remedy of revision before the fourth respondent and filed an application for stay. If she is evicted from the land in question even while the revision is pending, nothing remains to be adjudicated by the fourth respondent.

Hence, the writ petition is disposed of directing that the order of eviction, dated 29.10.2005, passed by the first respondent against the petitioner, shall remain suspended till the disposal of the revision by the fourth respondent. There shall be no order as to costs.

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06.01.2006

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